

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/30/2014

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
IN RE:	:
	:
KEURIG GREEN MOUNTAIN SINGLE-	: 14-MD-2542 (VSB)
SERVE COFFEE ANTITRUST	: 14-MC-2542 (VSB)
LITIGATION	:
	: <u>ORDER No. 4</u>
<i>This Order relates to 14-CV-905 and</i>	: (Preliminary Injunction Rulings)
<i>14-CV-4242</i>	:
-----X	

VERNON S. BRODERICK, United States District Judge:

The following reflects the rulings I made during the July 30, 2014 telephone conference:

1. Any motion for a preliminary injunction must be filed on or before August 11, 2014;
2. If the Competitor Plaintiffs plan to raise any new issues in their preliminary injunction motions, the Competitor Plaintiffs should meet and confer with Defendant prior to August 11 to address those issues. If the Competitor Plaintiffs fail to do so and choose to raise new issues in their motions, I will hear an application from Defendant should it think additional time is necessary to respond;
3. Defendant is permitted to propound discovery on any party moving for a preliminary injunction, and is also entitled to take a Rule 30(b)(6) deposition of each movant. Discovery is limited to documents and questions related to the issues raised by the preliminary injunction. The parties shall meet and confer regarding Defendant's discovery requests, and if there are any outstanding disputes they should be reduced to writing and submitted to me by August 4, 2014;
4. The Rule 30(b)(6) depositions of each party will be seven hours per witness. I will be available if the parties believe that questioning is repetitive or harassing, or if a dispute arises during a deposition;
5. JBR's request to depose any declarants or affiants in support of Defendant's opposition is denied. The parties shall make their declarants/affiants available for cross-examination at the preliminary injunction hearing; and
6. All parties—including the Indirect and Direct Purchasers—shall also meet and confer by Monday, August 4, regarding the schedule for Defendant's Motions to Dismiss. Any remaining disputes should be included in the letter to the Court.

The parties shall appear for a telephone conference on Tuesday, August 5, 2014 at 11:15 a.m. Counsel for Defendant shall provide the Court with a dial-in number at which all parties can be reached by August 4, 2014 at 5:00 p.m. If there are no outstanding disputes, please advise the Court on August 4, and the conference will be adjourned.

The preliminary injunction hearing scheduled for September 4, 2014 will now begin on **September 3, 2014 at 9:30 a.m. in Courtroom 110** of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York. I have cleared my calendar for September 3-5, and will be prepared to hold the hearing the remainder of the week if necessary.

SO ORDERED.

Dated: July 30, 2014
New York, New York


Vernon S. Broderick
United States District Judge